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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/673,731 | 09/29/2003 | William B. Slate | 0001-US2 | 1936 |
| 33688 | 7590 | 03/25/2005 | EXAMINER | |
| WILLIAM B. SLATE 175 AUSTIN RYER LN. BRANFORD, CT 06405 | | | FRECH, KARL D | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2876 | |

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,731

Applicant(s)

SLATE, WILLIAM B.

Examiner

Karl D. Frech

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of: ____
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/30/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins 6,061,681 in view of Romano et al 6,269,366.

Collins discloses a method and appropriate apparatus for accessing photographs of individuals through use of a personal computer 110 including a display 114 over a network 104 connected to at least a local server 106 and a second local server 106, see figure 1A, which contains the information requested at the personal computer 110 in a database 121 on the local server. The user of the system inputs information to search for preferred results. Collins does suggest that this is a "paid" service. Collins does not specifically disclose the celebrity status of the participants. Romano discloses in column 3 lines 7 + that celebrities, sports, movies, political figures and others are contemplated in network searching. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include any of a wide variety of genres of persons, items, and events on such a database as that of Collins. This would allow a user to find information on a large variety of different topics. Further, although not specifically disclosed, and since it is old and well known that printers connected to PCs are old and well known, it would have been obvious to a person of ordinary skill in the art at the time of the invention to include a printer in the system of Collins and to print out any search results desired in order to provide a hard copy of found information.

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Collins and Romano do not specifically disclose the payment or delivery or ordering of the print. However, ordering via the Internet, of a wide variety of items, including pictures, paintings, posters, is old and well known. It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide for delivery of pictures, etc. in the system of Collins. This would allow a person with a less than adequate printer (due to resolution or size) to "collect" quality pictures. It likewise would have been obvious to a person of ordinary skill in the art to provide a receipt for payment in order to allow the consumer to maintain accounting records. Tax exempt status is not given patentable weight, but it would have been obvious to a person of ordinary skill in the art at the time of the invention to place any relevant information on the receipt. One might provide tax exempt status on the receipt in order to prove to the IRS the applicability of an itemized deduction.

3. Although the examiner contends that the currently claimed invention is adequately taught by the combination of Collins and Romano as seen above, for the most part, applicant is informed that the currently claimed invention is little more than viewing photographs of people, places, events, things on a PC connected to the internet, then printing the image on the PC display. Further, ~~websites for providing pictures or posters~~ of people, places, events or things are well known and readily accessible.

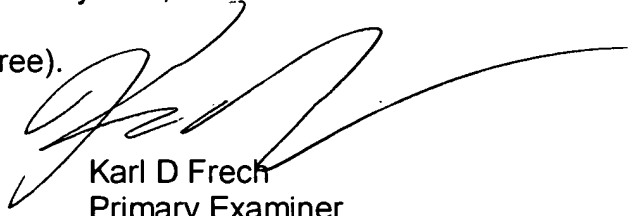
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. DeFabio, Jr. 6,250,549 and Collins 5,963,951 both disclose searching for electronic images of people.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl D. Frech whose telephone number is (571) 272-2390. The examiner can normally be reached on maxi-flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Karl D Frech
Primary Examiner
Art Unit 2876
